

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
JUN 10 2011
for Roanoke

EMERY QUENTIN SAUNDERS,
Plaintiff,

Civil Action No. 7:11-cv-00117-C. DUDLEY, CLERK
BY: [Signature]
DEPUTY CLERK

v.

MEMORANDUM OPINION

LARRY T. EDMONDS, et al.,
Defendants.

By: Hon. Jackson L. Kiser
Senior United States District Judge

By Order entered March 25, 2011, the court ordered that a filing fee be assessed in the amount of \$350.00 and granted plaintiff fifteen days from the date of the Order to file a statement of his assets and a certified report of his inmate trust account for the six-month period before he filed this action for the court to determine a payment schedule, pursuant to 28 U.S.C. § 1915(a). Plaintiff was advised that failure to return the statement of assets, and/or the inmate account statement within the time allowed would result in dismissal of this action without prejudice.

Plaintiff requested and received an extension of time to file the required financial documents. However, the time granted for plaintiff to file the documents has expired, and the plaintiff has failed to return the required financial documents to the court. Plaintiff did not file certified copies of his trust account statement for the appropriate period. Accordingly, plaintiff failed to comply with the court's order and the requirements of § 1915, and this action is dismissed without prejudice. Plaintiff may refile his claims in a new and separate action once can pay the \$350 filing fee or file the necessary financial forms to proceed without prepaying the filing fee.

The Clerk is directed to send a copy of this memorandum opinion and the accompanying order to plaintiff.

ENTER: This 10th day of June, 2011.

[Signature]
Senior United States District Judge